GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Sri K.Jayachandra Reddy, Dy.Director of Horticulture, Guntur (u/s) – Initiation of departmental enquiry u/r 20 of APCS (CC&A) Rules, 1991 - Articles of charge – Issued.

AGRICULTURE AND COOPERATION (VIG I) DEPARTMENT

G.O.Rt.No.751 **Dated:30.11.2017**
Read the following:-

1.From the Commissioner of Horticulture, A.P. Guntur Lr.No.Estt-I(2) 18/2017, Dt:29-08-2017.
2. Govt.Memo No. AGST.31/3/2017, Dt:8-9-2017 of Agri & Coop(Vig-I) Dept.
3.From the Commissioner of Horticulture, A.P. Guntur Lr.No. Estt-I(2) 18/2017, Dt:10-11-2017.

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ORDER :-

It is proposed to hold an enquiry against the Sri K.Jayachandra Reddy, Dy.Director of Horticulture, Guntur (u/s) in accordance with procedure laid down in Rule - 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991.

2. The substance of the imputations of misconduct or misbehavior in respect of which the enquiry is proposed to be held is set out in the enclosed statement of Article of Charges (Annexure-I). Statement of imputation or misconduct of misbehavior on which action is proposed to be taken against him as Annexure-II, a list of documents by which and a list of witnesses by whom the Article of Charge is proposed to be sustained are also enclosed as Annexure-III and IV.

3. Sri K.Jayachandra Reddy, Dy.Director of Horticulture, Guntur(u/s) is directed to submit a written statement of defence within 15 days of the receipt of this G.O. and also to state whether he desires to be heard in person.

4. Sri K.Jayachandra Reddy, Dy.Director of Horticulture, Guntur(u/s) is further informed that an Inquiry will be held only in respect of those article of charges as are not admitted. He should therefore, specifically admit or deny the article of charge.

5. Sri K.Jayachandra Reddy, Dy.Director of Horticulture, Guntur (u/s) is further informed that if he does not submit his written statement of defence on or before the date specified in para-3 above, further action will be processed based on the material available.

6. Attention of Sri K.Jayachandra Reddy, Dy.Director of Horticulture, Guntur (u/s) is invited to rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964, under which no Government servant shall bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt with in these proceedings it will be presumed that Sri K.Jayachandra Reddy, Dy.Director of Horticulture, Guntur (u/s) is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of rule -24 of the A. P. Civil Service (Conduct) Rules, 1964.

P.T.O

7. The receipt of this G.O. shall be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

CHIRANJIV CHOUDHARY
EX.OFFICIO SECRETARY TO GOVERNMENT (H&S)

To

Sri K.Jayachandra Reddy, Dy.Director of Horticulture, Guntur(u/s)(Through the Commissioner of Horticulture, A.P. Guntur)

Copy to:

The Commissioner of Horticulture, A.P. Guntur (with a request to serve the order on the charged officer and return the served copy with dated ack.,)

SC/Sf.

//FORWARDED BY ORDER//

SECTION OFFICER

Contd Annxs-I,II,III,IV /-

Annexure- I

Statement of Article of charges against Sri K.Jayachandra Reddy, Dy.Director of Horticulture, Guntur (u/s)

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Article of charge – I :

"That, the said Sri K.Jayachandra Reddy, Dy.Director of Horticulture, Guntur (u/s), has demanded an amount of Rs.30,000/- from Sri P.Siva Rami Reddy to release subsidy . As the farmer denied to give bribe Sri K. Jayachandra Reddy, Dy.Director of Horticulture , Guntur (u/s) has limited subsidy an amount to Rs.90,000/- as against Rs.1,37,000/- as recommended by the joint inspection committee. Similarly in another case of Sri V. Vara Prasad Reddy, R/o Gorantla Village, Guntur District who constructed shade net house, the joint inspection committee has inspected the unit on 30-1-2017 and recommended release of subsidy. In this case also Sri K. Jayachandra Reddy, Dy. Director of Horticulture(u/s) demanded 10% bribe for release of subsidy amount for the shade net house. As the farmer also denied to pay the demanded amount Sri K. Jayachandra Reddy, Dy. Director of Horticulture (u/s) has not recommended the subsidy until he was placed under suspension."

Thus, he was negligent in discharging his duties by his corruption activities in violation of the provisions of Rule-3 of A.P.C.S.Conduct Rules, 1964."

Article of charge – II :

That as per Rule-3(1) of A.P.Civil Services (Conduct) Rules, 1964, every Government Employee shall be devoted to his duties and shall maintain absolute integrity, discipline, impartiality and a sense of propriety Sri K. Jayachandra Reddy, Dy. Director of Horticulture, Guntur (u/s) has not followed the guidelines and demanded bribe which is unbecoming of a public servant.

Thus he has violated the Rule-3(1) of A.P. Civil Services (Conduct) Rules 1964 in all aspects.

Annexure - II

Statement of imputations of misconduct or misbehaviour in support of the article of charge framed against Sri K. Jayachandra Reddy, Dy. Director of Horticulture, Guntur (u/s)

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1. Sri P.Siva Rami Reddy, R/o Mandapadu village, Guntur District has alleged that Sri K.Jayachandra Reddy, Dy.Director of Horticulture, Guntur has demanded an amount of Rs.30,000/- for release of subsidy for cultivation of high value vegetable in his field. As the farmer did not pay bribe to Sri K.Jayachandra Reddy, Dy.Director of Horticulture, Guntur he has limited the subsidy for an amount of Rs.90,000/- as against Rs.1,37,000/- as recommended by the joint inspection team.

2. Sri V.Vara Prasad Reddy, R/o Gorantla, Guntur District has alleged that Sri K.Jayachandra Reddy, Dy.Director of Horticulture, Guntur has demanded 10% commission for release of subsidy amount for the shade net house. As the farmer did not agree to pay the amount, the Dy.Director of Horticulture, Guntur has not recommended for release of the subsidy amount so far. In addition the above two farmers informed that there are many other farmers willing to give statement who were harassed by the Dy. Director of Horticulture, Guntur.

The above farmers met the Commissioner of Horticulture and explained the above problems. The Commissioner of Horticulture has enquired with the farmers as well as Dy.Director of Horticulture, Guntur and came to a conclusion that the Dy.Director of Horticulture, Guntur has demanded money from the farmers which is un-becoming on the part of a civil servant as per the Conduct Rules.,1964. The C.O.H. has appointed Sri A. Surya Prakash, Project Officer, APMIP, Guntur as preliminary enquiry officer with a request to conduct inquiry in the allegations made by the farmers against Sri K. Jayachandra Reddy, DDH, Guntur . Accordingly, he conducted the inquiry on 1.11.2017 and submitted his reported vide his lr. Dt. 1.11.2017. In the preliminary report, the enquiry Officer has issued notices to the petitioners Sri P.Siva Rami Reddy and Vupputuri Vara Prasad Reddy, to attend before him on 1.11.2017. Accordingly, the two Farmers have attended before the Enquiry Officer and recorded their statements. Stating that the complaints given by them earlier have been confirmed that the DDH Sri K. Jayachandra Reddy, Guntur demanded amounts for release of Govt subsidies to them and requested to take action in the matter. In view of the above, it is construed that Sri K. Jayachandra Reddy, DDH Guntur has violated the conduct rules, 1964 in performing his legitimate duties as a Government Servant.

Thus, Sri K. Jayachandra Reddy, Dy. Director of Horticulture, Guntur (u/s) was not devoted to duty and negligent in discharging his legitimate duties by his corruption activity which attracts violation of Rule-3 of APCS (Conduct) Rules, 1964.Hence the Article of Charges.

Annexure- III

List of documents by which the article of charges framed against Sri K. Jayachandra Reddy, Dy. Director of Horticulture, Guntur (u/s) are proposed to be sustained**.**

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Preliminary Inquiry report submitted by Sri A. Surya Prakash, Project Officer, APMIP, Guntur vide Lr.Rc.No.APMIP/E-1/1798/2017, Dt.1-11-2017 with depositions of two farmers.

ANNEXURE-IV

List of witnesses by whom the Article of Charges framed against Sri K. Jayachandra Reddy, Dy. Director of Horticulture, Guntur (u/s) are proposed to be sustained.

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CHIRANJIV CHOUDHARY
EX.OFFICIO SECRETARY TO GOVERNMENT (H&S)

SECTION OFFICER